

REMARKS

Claim 16 has been canceled. Claims 2-13 and 15, amended claims 1, 14, and 17, and new claims 18-25 are in this application.

Claims 1, 14, 16 and 17 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

As previously indicated, claim 16 has been canceled and claims 1, 14, and 17 have been amended herein. It is respectfully submitted that such amended claims satisfy 35 U.S.C. 112, first paragraph. Accordingly, it is respectfully submitted that the above 112 rejection be withdrawn.

Claims 1-3, and 5-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,805,763 (Lawler et al.) in view of U.S. Patent No. 6,415,099 (Berger).

Amended independent claim 1 now recites in part the following:

"presenting means for presenting a plurality of program attribute names comprising program attribute information concerning attributes of a program;

accepting means for accepting a selection of the program attribute information by a user based on the presented program attribute names and an escape keyword that is excluded from a title of the program or detailed information introducing contents of the program;

storing means for storing the accepted selection of program attribute information and the escape keyword;

. . . .

second acquiring means for acquiring retrieval conditions for retrieving a program comprising the stored program attribute information and the escape keyword;"  
(Emphasis added.)

It is respectfully submitted that amended independent claim 1 is distinguishable from the combination of Lawler and Berger as applied by the Examiner for at least the following reasons.

First, in explaining the above 103 rejection of claim 1, the Examiner appears to assert that Fig. 6 of Lawler discloses the presenting means of claim 1. It is respectfully submitted that such portion of Lawler does not appear to disclose "presenting a plurality of program attribute names . . .", as recited in claim 1. (Emphasis added.) As indicated on lines 9-10 of page 22 of the present application, an example of a program attribute name may be "soccer." The portion of Lawler relied on by the Examiner does not appear to disclose use of such program attribute name. Instead, such portion of Lawler appears to disclose program names (such as "Northern Exposure"). As is to be appreciated, program attribute names is not be the same as program names.

Second, in further explaining the above 103 rejection of claim 1, the Examiner appears to assert that lines 15-23 of column 4 and lines 58-65 of column 14 of Berger discloses "an escape keyword that is excluded from a title of the program or detailed information introducing contents of the program" as recited in claim 1. (Emphasis added.) It is respectfully submitted that such portion of Berger does not appear to disclose such feature. As indicated on lines 3-4 of page 23 of the present application, an example of an escape keyword may be "baseball." As described in the present application with regard to this example, when the word "baseball" is included in a title

or detailed information of a program, such program may be excluded. On the other hand, the portion of Berger relied on by the Examiner does not appear to disclose use of such escape keyword. Instead, such portion of Berger appears to disclose the use of title fragment information "which is to be excluded as a keyword." Further, such portions of Berger give specific examples of such words to be excluded-----such as "when" or "maybe." As is to be appreciated, the use of words such as "maybe" or "when" which are to be excluded from a keyword is not the same as "an escape keyword."

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that independent claims 5-8 and 11-15 are also distinguishable from the applied combination of Lawler and Berger.

Claims 2, 3, 9, 10, and 17 are dependent from one of the amended independent claims. Accordingly, it is also respectfully submitted that dependent claims 2, 3, 9, 10, and 17 are distinguishable from the applied combination of Lawler and Berger for at least the reasons previously described.

Claim 4 was rejected under 35 U.S. 103(a) as being unpatentable over Lawler et al. and Berger as applied to claim 1 above, and further in view of U.S. Patent No. 6,636,688 (Otana).

Claim 4 is dependent from amended independent claim 1. Accordingly, it is also respectfully submitted that dependent claim 4 is distinguishable from the applied combination of Lawler and Berger for at least the reasons previously described. The Examiner does not appear to rely on Otana to overcome the above-described deficiencies of Lawler and Berger. Accordingly, it is respectfully submitted that dependent claim 4 is distinguishable from the applied combination of Lawler, Berger and Otana.

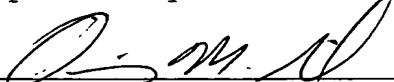
New claims 18-15 have been added herein. It is respectfully submitted that such new claims are distinguished over the applied combinations of references for reasons similar to or somewhat similar to those previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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